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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Eiichi Yamada

Serial No.:

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For : RECORDING APPARATUS, REPRODUCING APPARATUS AND RECORDING AND/OR REPRODUCING APPARATUS

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PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to the initial examination of the above-identified application, which is a division of Application Serial No. 08/952,126 filed September 8, 1997, Applicant respectfully requests that the application be amended as follows.

IN THE SPECIFICATION

Please amend the paragraph commencing at line 16 on page 11 by rewriting same to read as follows.

The input device 60 includes: a hold switch lamp 62 that indicates a hold mode; a record/reproduce lamp 63 which indicates recording or reproduction is in progress; a volume switch 64 for adjusting volume of the reproduced voice; and an earphone jack not shown. As shown in FIG. 3, the record/reproduce lamp 63 and the hold lamp are arranged on the main surface of the external cabinet 1A so that they can easily be seen while using. A hold switch not shown, the volume switch 64, and the earphone jack are used less frequently and arranged on the side portion of the external cabinet 1A. When the hold switch is operated operation of the operation pushbuttons of the input device 60 is invalidated so as to prevent malfunction of the IC recorder while carrying.

IN THE CLAIMS

Please amend claims 11-14, 16, 18, 19, and 25-27 by rewriting same to read as follows, cancel claims 1-10, 15, 17, and 20-24 without prejudice or disclaimer, and add new claims 28-34 set forth below.

--11. (Amended) A reproducing apparatus comprising:

a storage device having two files into which dynamic data is

written;

time setting means for setting a time;

a memory for storing time data corresponding to said time set by said time setting means;

a controller for reading said dynamic data from said storage device according to said time data stored in said memory; and

selector means operable by a user for the apparatus for selecting one of said two files to which the dynamic data is written,

wherein a plurality of units of dynamic data are written into said storage device, and said units of dynamic data are written by said controller into the one of said two files included in said storage device selected by said selector means, and each of said two files can be written to by a plurality of units of dynamic data.

--12. (Amended) The reproducing apparatus as claimed in Claim 11, wherein said controller includes means for carrying out writing into said memory, correlating said time data specified by said time setting means with said dynamic data stored in said storage device, and reading from said storage device said dynamic data corresponding to said specified time data.

--13. (Amended) The apparatus as claimed in Claim 12, wherein said controller comprises a clock section, and when said

clock section coincides with said specified time data stored in said memory, said controller reads out said dynamic data from said storage device.

--14. (Amended) The reproducing apparatus as claimed in Claim 11, wherein said reproducing apparatus comprises a conversion circuit for converting said dynamic data read from said storage device into an analog signal.

--16. (Amended) A recording and/or reproducing apparatus comprising:

a microphone;

an analog to digital converting circuit for converting an output signal from said microphone into a digital output signal;

a semiconductor memory including two files for storing said digital output signal from said analog to digital converting circuit;

a selector operable by a user of the apparatus for selecting one of said two files to which the digital output signal is written;

a digital to analog converting circuit for converting a digital signal read from said semiconductor memory into an analog output signal;

an input device operable by a user of said apparatus for entering at least a recording start, a recording end, and a

reproduction start mode;

a controller for controlling in response to an input from said input device a writing of said digital signal from said analog to digital converting circuit into said semiconductor memory and a reading of a stored digital signal from said semiconductor memory; and

a cabinet in which said microphone, said analog/digital converting circuit, said digital/analog converting circuit, and said input device are arranged,

wherein said output signal from said microphone converted by said analog to digital converting circuit into said digital output signal is written into the one of said two files selected by said selector as audio data, and each of said two files can be written by a plurality of audio data.

--18. (Amended) The recording and/or reproducing apparatus as claimed in Claim 16, wherein said controller includes means for selectively reading out from said storage device said digital signal specified by said input device and for supplying said digital signal to said digital to analog converting circuit.

--19. (Amended) The recording and/or reproducing apparatus as claimed in Claim 16, wherein

said controller controls a start of said writing of said digital output signal from said analog to digital converting

circuit into said semiconductor memory and a stop of said writing into said semiconductor memory in response to an input from said input device; and

after said input device is operated and a predetermined time interval has lapsed said controller controls the start of said writing into said semiconductor memory of said digital output signal from said analog to digital converting circuit.

--25. (Amended) The recording and/or reproducing apparatus as claimed in Claim 16, wherein

said semiconductor memory comprises a first semiconductor memory and

said input device includes time setting means for setting a time

and further comprising a second semiconductor memory for storing time data of said time set by said time setting means; and

said controller includes means for reading out a digital signal from said first semiconductor memory according to the time data stored in said second semiconductor memory.

--26. (Amended) The recording and/or reproducing apparatus as claimed in Claim 25 wherein said controller writes said time data corresponding to said time set by said time setting means into said second semiconductor memory corresponding to a digital

signal stored in said first semiconductor memory; and according to said set time reads out a digital signal corresponding to said set time from said first semiconductor memory.

--27. (Amended) The recording and/or reproducing apparatus as claimed in Claim 26, wherein said controller comprises a clock section and when said clock section coincides with said time data stored in said second semiconductor memory said controller reads out a digital signal from said first semiconductor memory.

--28. (New) The reproducing apparatus as claimed in Claim 16, further comprising

display means for displaying an identification identifying said stored digital signal,

wherein said cabinet includes a notched portion arranged on an upper left of a surface thereof having said display means.

--29. (New) The reproducing apparatus as claimed in Claim 28, wherein said input device includes a button for entering a reproducing start mode, said button is arranged in said notched portion of said cabinet.

--30. (New) The reproducing apparatus as claimed in Claim 16, wherein said cabinet has a hand strap for use when said user carries said reproducing apparatus.

--31. (New) A recording and/or reproducing apparatus comprising:

a microphone;

an analog to digital converting circuit for converting an output signal from said microphone into a digital output signal containing digital audio data;

a semiconductor memory for storing said digital output signal from said analog to digital converting circuit, each said file being written to by a plurality of digital audio data;

a selector operable by a user of the apparatus for selecting one of said two files to which the digital audio data is written;

a digital to analog converting circuit for converting a digital signal read from said semiconductor memory into an analog output signal;

a first input device operable by the user of said apparatus for entering a recording start mode;

a second input device operable by a user of said apparatus for entering a reproducing start mode;

a second input device operable by a user of said apparatus for entering a reproducing start mode;

a controller for controlling in response to an input from said first input device a writing of said digital output signal from said analog to digital converting circuit into said semiconductor memory and in response to an input from said input device a reading out of a stored digital signal from said

semiconductor memory;

display means for displaying identification information of said stored digital signal; and

a cabinet in which said microphone, said analog/digital conversion circuit, said digital to analog converting circuit, and said input device and said display means are arranged.

wherein said second input device is arranged at an upper left of a surface of said cabinet having said display means, and said second input device is operated with the user's left thumb.

--32. (New) The reproducing apparatus as claimed in Claim 11, further comprising

display means for displaying an identification identified said stored digital signal,

wherein the reproducing apparatus includes a notched portion arranged on an upper left of a surface of said cabinet having said display means mounted thereon.

--33. (New) The reproducing apparatus as claimed in Claim 32, wherein said input device includes a button for entering a reproducing start mode, said button is arranged in said notched portion.

--34. (New) The reproducing apparatus as claimed in Claim 16, wherein said cabinet has a hand strap to be used when said

user carries said reproducing apparatus.--

REMARKS

Claims 11-14, 16, 18, 19, and 25-27 remain in the application and have been amended hereby with claims 1-10, 15, 17, and 20-24 having been cancelled, without prejudice or disclaimer, and new claims 28-34 having been added.

The following remarks are directed to the Final Rejection of March 26, 2001 in the above-identified parent application.

In regard to the rejection of claims 11-14 under 35 USC 103, as being unpatentable over Kishimoto in view of Sudoh et al. It is noted by the examiner that Kishimoto fails to provide the feature of the present invention in which the semiconductor memory is arranged to have two files. The examiner points to FIG.3 of Sudoh et al. as showing such a construction. Nevertheless, FIG. 3 is intended to be a showing of the address portion of the memory card. It will be noted from column 6, line 59 that Sudoh et al. states that FIG. 3 does not refer to 7, which is the sound data storage region of the card. Moreover, Sudoh et al. does not provide the selector that is provided by the present invention that permits the user of the apparatus to select which file is being operated on. That selector is shown in FIG. 3 of the present invention at 61. Claims 11-14 have been amended hereby to recite more positively the provision of the two files and the selector.

Similarly, in the rejection of claims 16, 18, and 30 based on Okano et al. in view of Sudoh et al. it is respectfully noted that Sudoh et al. does not disclose the two-file set-up of the present invention that permits the user to select the file to be operated on with a switch mounted on the actual apparatus.

An early and favorable examination on the merits is earnestly solicited.

Respectfully submitted,
COOPER & DUNHAM LLP

Jay H. Maioli
Reg. No. 27, 213

JHM:gr

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION

Please amend the paragraph commencing at line 16 on page 11 by rewriting same to read as follows.

The input device 60 includes: a hold switch lamp 62 that indicates a hold mode; a record/reproduce lamp 63 which indicates recording or reproduction is in progress; a volume switch 64 for adjusting volume of the reproduced voice; and an earphone jack [65] not shown. As shown in FIG. 3, the record/reproduce lamp 63 [is] and the hold lamp are arranged on the main surface of the external cabinet 1A so that [it] they can easily be seen while using. [The] A hold switch [62] not shown, the volume switch 64, and the earphone jack [65] are used less frequently and arranged on the side portion of the external cabinet 1A. When the hold switch [62] is operated operation of the operation pushbuttons of the input device 60 is invalidated so as to prevent malfunction of the IC recorder while carrying.

IN THE CLAIMS

Please amend claims 11-14, 16, 18, 19, and 25-27 by rewriting same to read as follows, cancel claims 1-10, 15, 17, and 20-24 without prejudice or disclaimer, and add new claims 28-34 set forth below.

--11. (Amended) A reproducing apparatus comprising:

a storage device having two files into which [at least one] dynamic data is written;

time setting means for setting a time;

a memory for storing [a] time data corresponding to said time set by said time setting means; [and]

a controller for reading [a] said dynamic data from said storage device according to [a] said time data stored in said

memory[.]; and

selector means operable by a user for the apparatus for selecting one of said two files to which the dynamic data is written,

wherein a plurality of units of dynamic data are written into said storage device, and said units of dynamic data are written by said controller into the one of said two files included in said storage device selected by said selector means, and each of said two files can be written to by a plurality of units of dynamic data.

--12. (Amended) [A] The reproducing apparatus as claimed in Claim 11, wherein said controller [carries] includes means for carrying out writing into said memory, correlating [the] said time data specified by said time setting means with [a] said dynamic data stored in said storage device, and reading from said storage device [the] said dynamic data corresponding to said specified time data.

--13. (Amended) [A] The apparatus as claimed in Claim 12, wherein said controller [is provided with] comprises a clock section, and when said clock section coincides with [a] said specified time data stored in said memory, said controller reads out [a] said dynamic data from said storage device.

--14. (Amended) [A] The reproducing apparatus as claimed in Claim 11, wherein said reproducing apparatus [is provided with] comprises a conversion circuit for converting [a] said dynamic data read from said storage device[,] into an analog signal.

--16. (Amended) A recording and/or reproducing apparatus comprising:

a microphone;

an analog to digital converting circuit for converting an output signal from said microphone[,] into a digital output signal;

a semiconductor memory including two files for storing [an] said digital output signal from said analog to digital converting circuit;

a selector operable by a user of the apparatus for selecting one of said two files to which the digital output signal is written;

a digital to analog converting circuit for converting a digital signal read from said semiconductor memory[,] into an analog output signal;

an input device operable by a user of said apparatus for entering at least a recording start, a recording end, and a reproduction start mode;

a controller for controlling[, according] in response to an input from said input device[,] a writing of [a] said digital signal from said analog to digital converting circuit[,] into said semiconductor memory[,] and a reading of a stored digital signal from said semiconductor memory; and

a cabinet in which said microphone, said analog/digital [conversion] converting circuit, said digital/analog [conversion] converting circuit, and said input device are arranged[.],

wherein said output signal from said microphone converted by said analog to digital converting circuit into said digital output signal is written into the one of said two files selected by said selector as audio data, and each of said two files can be written by a plurality of audio data.

--18. (Amended) [A] The recording and/or reproducing apparatus as claimed in Claim [17] 16, wherein said controller includes means for selectively [reads] reading out from said storage device [a dynamic data] said digital signal specified by

said input device and [supplies the data] for supplying said digital signal to said digital to analog converting circuit.

--19. (Amended) [A] The recording and/or reproducing apparatus as claimed in Claim [17] 16, wherein

said controller controls [to] a start of said writing [a] of said digital output signal from said analog to digital converting circuit into said semiconductor memory and [to] a stop of said writing into said semiconductor memory [according] in response to an input from said input device; and

[when] after said input device is operated and a predetermined time interval has [passed,] lapsed said controller [makes starts] controls the start of said writing into said semiconductor memory [a] of said digital output signal [outputted] from said analog to digital converting circuit.

--25. (Amended) [A] The recording and/or reproducing apparatus as claimed in Claim [17] 16, wherein

said semiconductor memory comprises a first semiconductor memory and

said input device [is provided with] includes time setting means for setting a time[;

said apparatus] and further [comprises] comprising a [further] second semiconductor memory for storing [a] time data [which has been] of said time set by said time setting means; and

said controller [reads] includes means for reading out a digital signal from said first semiconductor memory according to the time data stored in said [further] second semiconductor memory.

--26. (Amended) [A] The recording and/or reproducing apparatus as claimed in Claim 25 wherein said controller writes [a] said time data [which has been] corresponding to said time

set by said time setting means[,] into said [further] second semiconductor memory corresponding to a digital signal stored in said first semiconductor memory; and[,] according to said set time [which has been set,] reads out a digital signal corresponding to said set time from said first semiconductor memory.

--27. (Amended) [A] The recording and/or reproducing apparatus as claimed in Claim 26, wherein said controller [is provided with] comprises a clock section[,] and when said clock section coincides with [a] said time [set] data stored in said [further] second semiconductor memory[,] said controller reads out a digital signal from said first semiconductor memory.